

Docket No.
3123-551

Declaration For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**MAGNETICALLY ALIGNED DISK DRIVE VOICE COIL MOTOR MAGNETS AND METHOD
OF ALIGNING THE SAME**

the specification of which

(check one)

☒ is attached hereto.

☐ was filed on _____ as United States Application No. or PCT International
Application Number _____
and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior applications and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

60/452,616	3/6/03
_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor	
RICHARD F. O'DAY	
Sole or first inventor's signature	Date
<i>Richard F. O'Day</i>	Dec 5, 2003
Residence	
20 LINDA STREET, WESTBOROUGH, MA 01581	
Citizenship	
USA	
Post Office Address	
20 LINDA STREET, WESTBOROUGH, MA 01581	

Full name of second inventor, if any	
Second inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of third inventor, if any	
Third inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

CERTIFICATE UNDER 37 CFR 3.73(b)

Applicant: O'Day

Docket No.: 3123-551 (16420-02103)

Application No.: NOT YET ASSIGNED

Filed: HEREWITH

Confirmation No.:

For: MAGNETICALLY ALIGNED DISK DRIVE VOICE COIL MOTOR MAGNETS AND
METHOD OF ALIGNING THE SAME

MAXTOR CORPORATION, a Delaware corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
- B. ☒ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:
- ☐ Additional documents in the chain of title are listed on a supplemental sheet.
- ☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

By: 

JAMES L. JOHNSON
REG. NO. 34,193
MARSH FISCHMANN & BREYFOGLE LLP
3151 SOUTH VAUGHN WAY, SUITE 411
AURORA, CO 80014
(701) 293-7680

Date: 12/15/03

ASSIGNMENT

WHEREAS, I, Richard F. O'Day of 20 Linda Street, Westborough, MA 01581, have invented a certain new and useful invention entitled "MAGNETICALLY ALIGNED DISK DRIVE VOICE COIL MOTOR MAGNETS AND METHOD OF ALIGNING THE SAME" for which an application for Letters Patent of the United States has been prepared for filing, said application being identified as Attorney Docket No.3123-551 and executed concurrently herewith;

NOW THEREFORE, be it known that I, the said inventor, for and in consideration of certain good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, at the request of the assignee do sell, assign and transfer unto said assignee, MAXTOR CORPORATION, a Delaware Corporation having a place of business at 2452 Clover Basin Drive, Longmont, Colorado 80503, its successors, legal representatives and assigns, the entire right, title and interest in the aforesaid application for the territory of the United States of America and all continuation, divisional, continuation-in-part and reissue applications, all patent applications in foreign countries, all applications pursuant to the Patent Cooperation Treaty and all applications for extension filed or to be filed for the invention, and all Letters Patent, Invention Registrations, Utility Models, Extensions or Reissues, Reexaminations and other patent rights, obtained for the invention in the United States or any other country; I also assign any right, title or interest in and to the said invention which has not already been transferred to the assignee, I warrant that I have made no assignment of the invention, application or patent therefor to a party other than MAXTOR CORPORATION and I am under no obligation to make and shall not make any assignment of the invention, application, or patent therefor to any other party; and I further agree to cooperate with the assignee hereunder in the obtaining, sustaining and enforcing of any and all such Letters Patent and patent rights and in confirming the assignee's exclusive ownership of the invention, without further consideration, but at the expense of said assignee.

The Commissioner of Patents and Trademarks is hereby authorized and requested to issue the Letters Patent solely in accordance with the terms of this Assignment, to MAXTOR CORPORATION, its successors, legal representatives and assigns, as the assignee of the entire right, title and interest therein.

IN WITNESS WHEREOF, the party hereto has executed this Assignment as of the date indicated hereunder.

Date: Dec 5, 2003

By: Richard F. O'Day
Richard F. O'Day

STATE OF Massachusetts
COUNTY OF Worcester) ss.

Before me, a Notary Public in and for said County and State, personally appeared Richard F. O'Day known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 5 day of December, 2003.

Deborah Ann DeFuria
Notary Public

My Commission Expires:

Deborah Ann DeFuria
Notary Public
My Commission Expires
March 5, 2010

POWER OF ATTORNEY

On behalf of Maxtor Corporation, having a principal place of business at 2452 Clover Basin Drive, Longmont, Colorado 80503, the undersigned appoints all attorneys and agents associated with Customer Number 25231 as attorneys and agents for Maxtor Corporation, with full powers of substitution, association and revocation, to prosecute any application that is filed with the United States Patent and Trademark Office by any of such attorneys or agents and that is assigned to Maxtor Corporation, as well as all corresponding foreign applications, and further to transact all business in the United States Patent and Trademark Office and all foreign and international patent offices connected therewith.

On behalf of Maxtor Corporation, the undersigned authorizes any attorney or agent associated with Customer Number 25231 to execute any statement under 37 C.F.R. §3.73(b) in relation to any application where such attorney or agent has a power of attorney in accordance with the foregoing.

On behalf of Maxtor Corporation, the undersigned authorizes all correspondence regarding the above-noted matters to be directed to the correspondence address associated with Customer Number 25231.

The undersigned (whose title is supplied below) is authorized to act on behalf of Maxtor Corporation.

Maxtor Corporation

Date: 6/11/01

By: _____

Glenn H. Stevens

Vice President and General Counsel